

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANITA DUNLAP,

Defendant.

CASE NO. CR01-373 Z

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on August 5, 2005. The United States was represented by Jeffrey Coopersmith. The defendant was represented by Howard Ratner. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Bank Fraud on or about February 15, 2002. The Hon. Thomas S. Zilly of this court sentenced Defendant to 1 day of custody, time served, followed by 5 years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Jonathan Ishii alleged that Defendant violated the conditions of supervised release in 11 respects:

- (1) Committing social security fraud using a social security number that was not hers, on or about November 27, 2002, in violation of the general condition to not commit another federal, state, or local crime;
- (2) Obtaining an automobile loan on or about November 27, 2002, without the approval of the probation officer, in violation of the special condition of supervised release;
- (3) Failing to disclose all assets and liabilities to the probation office on April 4, 2004, in violation of the special condition of supervised release;
- (4) Committing social security fraud using a social security number that was not hers on or about September 24, 2004, in violation of the general condition to not commit another federal, state, of local crime;
- (5) Obtaining a real estate loan, on or about September 24, 2004, without the approval of the probation officer, in violation of the special condition of supervised release;
- (6) Failing to disclose all assets and liabilities to the probation officer on January 5, 2005, on or about December 31, 2004, in violation of the special condition of supervised release;
- (7) Failing to notify the probation officer 10 days prior to any change in residence, in violation of standard condition number six;
- (8) Failing to pay restitution during the period of supervision in monthly installments, as directed by the probation officer, in violation of the special condition of supervised release;
- (9) Failing to submit a truthful and complete written report within the first five days of each month from November 2002 to September 2004 and from April to June 2005, in violation of standard condition two;
- (10) Incurring new credit charges, opening additional lines of credit and obtaining a loan without approval from the U.S. Probation Officer, in violation of the special condition of supervised release; and
- (11) Submitting false statements regarding checking/savings account information on

1 monthly report forms submitted for January, June and July 2003; May 2004; and
2 February 2005, in violation of the general condition that she not commit another
3 federal, state, or local crime.

4 At an initial hearing, I advised the defendant of these charges and of her constitutional rights. At
5 today's hearing Defendant admitted all violations, waived any hearing as to whether they occurred,
6 and consented to having the matter set for a disposition hearing before the Hon. Thomas S. Zilly.

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8 RECOMMENDED FINDINGS AND CONCLUSIONS

9 Based upon the foregoing, I recommend the court find that Defendant has violated the
10 conditions of her supervised release as alleged; and set the matter for a disposition hearing.

11 Defendant has been detained pending a final determination by the court.

12 DATED this 9th day of August, 2005.

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15 Monica J. Benton
16 United States Magistrate Judge

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18 cc: Sentencing Judge : Hon. Thomas S. Zilly
19 Assistant U.S. Attorney : Jeffrey Coopersmith
20 Defense Attorney : Howard Ratner
21 U. S. Probation Officer : Jonathan Ishii